

HOUSE BILL 4079

By Litz

AN ACT to amend Tennessee Code Annotated, Title 36,  
Chapter 4 and Title 47, Chapter 22, relative to  
divorce.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 4, is amended by adding the following language as a new, appropriately designated section:

§ 36-4-1\_\_.

Every clerk of a court with divorce jurisdiction shall make available to parties to an action for divorce general information concerning the potential legal consequences of divorce on credit card accounts held jointly by the parties and credit card accounts where one party is an authorized user of an account held by the other party.

SECTION 2. Tennessee Code Annotated, Title 47, Chapter 22, Part 2, is amended by adding the following language as a new, appropriately designated section:

§ 47-22-2\_\_.

(a) After a court has determined or approved a property settlement agreement establishing the party responsible for any joint credit card account debt in a divorce action maintained or being maintained in the courts of this state, the nonresponsible party may notify a consumer reporting agency by sending a written notice containing the account name and account number of the joint credit card accompanied by a certified copy of the court order and property settlement agreement by certified mail, return receipt requested. On the date the notice is processed by the consumer reporting agency, no later than thirty (30) days after receipt of the notice by the consumer reporting agency, the agency shall post a notice of such order and agreement on the consumer report of the nonresponsible party.

(b) For purposes of this section:

(1) "Consumer report" has the meaning ascribed to that term by 15 U.S.C. § 1681a(d); and

(2) "Consumer reporting agency" has the meaning ascribed to that term by 15 U.S.C. § 1681a(f).

SECTION 3. For purposes of creating and publishing documents, Section 1 of this act shall take effect upon becoming a law, the public welfare requiring it. Section 2 of this act shall take effect January 1, 2009, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2008, the public welfare requiring it.